

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

DANBURY HOSPITAL OF THE WESTERN  
CONNECTICUT HEALTH NETWORK  
Employer

and

Case 01-RC-153086

AFT CONNECTICUT  
Petitioner

ORDER

The Employer's requests to stay the election and to impound the ballots are denied.<sup>1</sup>

MARK GASTON PEARCE, CHAIRMAN

KENT Y. HIROZAWA, MEMBER

LAUREN McFERRAN, MEMBER

Dated, Washington, D.C., December 9, 2015.

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<sup>1</sup> In its Special Request to Impound Ballots, the Employer relied on a provision of the NLRB's Casehandling Manual that predates the December 2014 amendments of the Board's rules governing representation-case procedures. See NLRB Casehandling Manual (Part Two), Section 11302.1(a) (September 2014). Under that provision, impounding of ballots where the Board had not yet ruled on a Request for Review prior to a second election was virtually automatic. See also NLRB Rules & Regulations Section 102.67(b) (2014) (pre-amendment rules). Under the amended rules, applicable here, impounding of the ballots is considered an extraordinary form of relief. See NLRB Rules & Regulations Section 102.67(j) (effective April 14, 2015).